

BILLS DELIVERED TO THE GOVERNOR

Primary program

SB 35 - AN ACT relating to the primary program.

Sponsor: Senator Jack Westwood

- Clarifies that a child who is at least 5 years of age, but less than 6 years of age, may be advanced through the primary program if the student is determined to have acquired the academic and social skills taught in kindergarten as determined by local board policy.
- Authorizes the Kentucky Board of Education to establish the process by administrative regulation for determining when a child may attend a full day program.
- Allows full-day state funding for the student.

Veterans day

***SB 47 - AN ACT relating to Veterans Day programs in schools.**

Sponsor: Senator Katie Stine

- Requires all public schools to hold Veterans Day programs.
- Encourages schools to seek advice from the Kentucky Department of Veterans' Affairs, as opposed to the Kentucky Department of Military Affairs, along with other veterans' organizations.

Public employees injured on the job

SB 51 - AN ACT relating to public employees.

Sponsor: Senator Tom Buford

- Requires a school district to coordinate among the income and benefits from worker's compensation, temporary disability retirement, and district payroll and benefits for a teacher or an employee for work time lost because of an assault while performing the employee's assigned duties, for a period of one year subsequent to the assault. The combined payments are not to exceed 100% of the full contracted salary.
- Requires a physician statement that the teacher or employee is physically unable to perform work duties.
- Requires the Commonwealth, through the Department of Education, to make the employer's health insurance and retirement contributions during the period that the district makes payments.

Vocational and technical education

***SB 57 - AN ACT relating to reorganization.**

Sponsor: Senator Dan Kelly

- Designates the Kentucky Workforce Investment Board as the sole state agency responsible for the administration of vocational and technical education and the supervision of the administration of vocational and technical education.
- Authorizes the board to delegate responsibilities to the Department for Technical Education.

Telecommunications equipment for the deaf

SB 88 - AN ACT relating to telecommunications equipment for the deaf.

Sponsor: Senator Tom Buford

- Changes the term "TDD distribution program" to "Telecommunications Access program, which furnishes specialized telecommunications equipment to deaf, hard-of-hearing, and speech-impaired persons so they may have equal access to telecommunications services through the telecommunications relay service.
- Changes the term "telecommunications device for the deaf", or "TDD", to "specialized telecommunications equipment" and defines the term to include devices such as, but not limited to, telecommunications devices for the deaf, amplified phones, loud ringers, visual alert signalers, tactile signalers, captioned telephones, and appropriate wireless devices.

School facilities

***SB 205 - AN ACT relating to the School Facilities Construction Commission.**

Sponsor: Senator Jack Westwood

- Permits offers of assistance to local school districts for building school facilities to be escrowed up to 8 years.

Youth Development Coordinating Council

***SJR 184 - Senator Katie Stine**

- Encourages the Cabinet for Health and Family Services to establish the Kentucky Youth Development Coordinating Council.
- Establishes membership and duties of the council. Duties include developing a statewide strategic plan for goals and objectives for youth between the ages of 8 and 21 that fosters the following: caring relationships with adults, parents, and peers; safe places and structured activities; healthy start and future; marketable skills through effective education and learning activities; opportunities to serve and help others; and promotion and encouragement of individual responsibility. It shall also improve

communications among agencies serving youth; assess the quantity and outcomes of state programs; and assess existing funding resources and returns on investments.

- Requires the University of Kentucky Cooperative Extension Service to perform the administrative functions. Requires all appropriate executive, judicial, and legislative branch agencies to cooperate with the council.
- Requires the council to submit a report to the Governor and the General Assembly by September 1 of each year.

School employees on military duty

HB 79 - AN ACT relating to a school employee on active military duty.

Sponsor: Representative Mike Denham

- Requires a local board of education to grant a leave of absence to a certified employee who is a member of a state National Guard or a Reserve component ordered to active military duty by the President of the United States.
- Requires the Commonwealth of Kentucky to pay a certified employee's retirement contribution for the period of military active duty upon the employee's return to work.
- Requires the state to provide annual appropriations to cover the cost.

Students on military duty

HB 80 - AN ACT relating to students called to military active duty.

Sponsor: Representative Mike Denham

- Requires that a student called to federal military active duty receive credit for academic work and reasonable time to make up missed work.

Rank I for National Board certified teachers

HB 125 - AN ACT relating to educational rank.

Sponsor: Representative Jon Draud

- Clarifies that a teacher retains Rank I status gained based upon National Board certification unless the certificate is revoked for misconduct or voided for other reasons.

End-of-course examinations

***HB 197 AN ACT relating to end-of-course examinations.**

Sponsor: Representative Jon Draud

- Requires the Kentucky Department of Education to begin developing end-of-course examinations in Algebra I, Algebra II and Geometry. Requires the department to ensure that each test: aligns with the standards, content, goals, and academic expectations for the course; includes student demonstration of knowledge,

comprehension, application, and higher order cognitive skills; includes reliable and valid items; and provides individual scores, item analyses, and comparative data.

- Requires content teachers in the core courses and postsecondary faculty, including both subject matter specialists and teacher educators, in the development and review of items, with the majority to be content teachers in the core courses.
- Requires the initial test to be available and piloted in selected school districts no later than the end of the 2007-2008 school year.
- Requires that teachers using the end-of-course exam in calculating a student's final grade do so in accordance with policies of the local board of education and the school-based decision making council.
- Prohibits the use of scores on end-of-course exams as a criterion for a teacher's formal evaluation or for pay during the pilot period.
- Requires the Department of Education and local school districts to use the exams to promote increased student accountability. The department and local school districts are to use test results to determine the need for technical assistance, professional development, and other resources to improve instruction.
- Requires the Department of Education to consult with the Education Assessment and Accountability Review Subcommittee, the National Technical Advisory Panel on Assessment and Accountability, and the School Curriculum Assessment, and Accountability Council regarding implementation and advise the Kentucky Board of Education of its findings and recommendations.
- Requires the Commissioner of Education to report the findings from the pilot study and policy options to the Interim Joint Committee on Education.

Building lockdown

***HB 206 - AN ACT relating to emergency procedures in public schools.**

Sponsor: Representative Teddy Edmonds

- Defines building lockdown and requires lockdown procedures to be established for school buildings.
- Requires students, staff, and parents to be made aware of lockdown procedures.
- Requires a lockdown emergency practice to be held once during each school year.

Historical displays

HB 277 - AN ACT relating to the promotion of history and declaring an emergency.

Sponsor: Representative Rick Nelson

- Establishes guidelines for historical displays and instruction on school property.
- Permits a school council to authorize the display of historic artifacts, monuments, symbols, and texts, including but not limited to religious materials, in conjunction with a course of study that includes an elective course in history, civilization, ethics, comparative religion, literature, or other subject areas, if the display is appropriate to the overall educational purpose of the course, is displayed in a balanced, objective, and not solely religious manner; neither favors nor disfavors religion generally;

neither favors nor disfavors any religious belief; and promotes the display of Kentucky's historic, cultural, political, and general heritage and achievements.

Taxes

HB 403– AN ACT relating to revenue and taxation and declaring an emergency.

Sponsor: Representative Harry Moberly, Jr.

- Makes omnibus changes relating to the 2005 tax modernization legislation.
- Provides the payment of interest when there is an overpayment of school utility gross receipts license taxes collected by the state.
- Provides for credit towards the telecommunications taxes paid to other states for providing the same services.
- Provides for the Revenue Department to calculate the revenue received by political subdivisions from the franchise portion of the assessment of telecommunications corporations based on 2004 assessments.
- Allows school districts in the same county to enter into an agreement to allocate utility gross receipts tax revenues based on the average daily attendance for the previous year.
- Allows the Department of Revenue to make refunds of the utility gross receipts tax from current or future collections allocated to the affected districts.

Meningococcal meningitis disease.

***HB 475- AN ACT related to information about meningococcal meningitis disease.**

Sponsor: Representative Tom Burch

- Requires a local school district to provide information on meningococcal meningitis disease and its vaccine to parents and guardians of students in grades 6 through 12 if other health information is also provided, and lists information to be included.
- Requires the Department of Education, in cooperation with the Department for Public Health, to develop and make the information available to local school districts, including posting on its Web site.

Truancy

***HB 479 - AN ACT relating to pupil attendance policies.**

Sponsor: Representative Frank Rasche

- Permits an assistant to the director of pupil personnel to perform the required duties of the director of pupil personnel. Deletes the requirement that the assistant hold a certificate issued by the Education Professional Standards Board.
- Requires that the school be notified of the home conditions of habitual truants, rather than all students.
- Requires documentation of contact with the custodian of the student when ascertaining the causes of irregular attendance and truancy.

- Requires documentation of the home conditions of the student and intervention strategies attempted in any action brought to enforce compulsory attendance laws.

Office of Education Accountability

HB 581 - AN ACT relating to the Office of Education Accountability.

Sponsor: Representative Harry Moberly, Jr.

- Requires the Office of Education Accountability to monitor elementary and secondary education upon and under the direction of the Education Assessment and Accountability Review Subcommittee.
- Requires, on or before December 1 of each year, that the Education Assessment and Accountability Review Subcommittee adopt an annual research agenda for the Office of Education Accountability.
- Provides that the agenda shall be amended to include studies directed by the General Assembly in the next succeeding session.
- Directs that the Office of Education Accountability's annual report include a status and results of the current year's annual research agenda, a summary of completed investigative activity conducted, and other items of significance as determined by the Education Assessment and Accountability Review Subcommittee.

Health education – exposure to ultraviolet rays

***HB 589 - AN ACT relating to health education.**

Sponsor: Representative Bob DeWeese

- Encourages public schools to include age-appropriate education on the risks associated with exposure to ultraviolet rays within the existing health curriculum.
- Requires the Kentucky Department of Education to provide instructional resources, including information from national standards and health organizations.

Wellness and physical activity

***HB 646 - AN ACT relating to the Governor's Wellness and Physical Activity Initiative**

Sponsor: Representative Jeff Hoover

- Establishes the Governor's Council on Wellness and Physical Activity and sets requirements for its operation. Establishes the purpose as implementing a health, wellness, and fitness program for Kentucky and to promote a healthy lifestyle for all citizens.
- Establishes the Governor's Wellness and Physical Activity Program, Inc., and sets operational requirements.
- Establishes the Governor's Office on Wellness and Physical Activity. Requires the office to establish a strategic plan to design Kentucky's wellness efforts; operate the Governor's Challenge Program; coordinate the efforts of the Education Cabinet, Cabinet for Health and Family Services, and the Personnel Cabinet; identify and

assess the most common challenges and report to policymakers; and design information campaigns.

Expelled or suspended students

***HB 688 - AN ACT relating to expelled or suspended students.**

Sponsors: Representative Mike Cherry

- Defines "behavior which constitutes a threat" as including assault, battery or abuse of others; the threat of force or violence; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drugs or alcohol; or the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior which may endanger the health or safety of others.
- Changes the standard for the requirement that a local board provide services to a student expelled from the regular school setting in an appropriate alternative program or setting. A local board is not responsible for services when the board has made a determination, on the record, supported by clear and convincing evidence, that the expelled student "posed," as opposed to "poses," a threat to the safety of other students or school staff and could not be placed into a state-funded agency program.
- Permits a school board to adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school, the district to which the student seeks transfer may review the details of the suspension or expulsion and determine if the student will be admitted.
- Requires any action related to students with disabilities be in compliance with applicable federal law.

Education Leadership Preparation Programs

***HJR 14 - Representative Jon Draud**

- Requires the executive director of the Education Professional Standards Board, with the cooperation of the commissioner of Education and the President of the Council on Postsecondary Education, to establish an interagency task force to coordinate the redesign of education leadership programs.

Education Professional Standards Board Confirmations

HCR 39 - A CONCURRENT RESOLUTION to confirm the gubernatorial reappointment of James G. Cibulka to the Education Professional Standards Board

HCR 42 - A CONCURRENT RESOLUTION to confirm the gubernatorial appointment of Lorraine G. Williams to the Education Professional Standards Board.

Social Studies – Constitution and democratic processes

***HJR 145 – Representatives Draud and Moberly Jr .**

- Directs the Council on Postsecondary Education, the Kentucky Board of Education, and other P-16 partners to develop strategies and a timeline for improving Kentucky students' knowledge and understanding of the Constitution of the United States, and the democratic processes; make reports to the Interim Joint Committee on Education, by August 1 and December 1, 2007.

Kentucky Board of Education Confirmations

HCR 222 - A CONCURRENT RESOLUTION to confirm the appointment of John Douglas Hubbard to the Kentucky Board of Education representing the Third Supreme Court District for a term ending April 14, 2010.

HCR 224 - A CONCURRENT RESOLUTION to confirm the gubernatorial appointment of C.B. Akins, Sr. to the Kentucky Board of Education representing the Fifth Supreme Court district for a term ending April 14, 2010.

HCR 226 - A CONCURRENT RESOLUTION to confirm the reappointment of R. Keith Travis to the Kentucky Board of Education representing the First Supreme Court District for a term ending April 14, 2010.